

RESOLUTION NO. 90-09

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A RESOLUTION OF THE LODI CITY COUNCIL  
ADOPTING THE CITY OF LODI ANNEXATION POLICY

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RESOLVED, that the Lodi City Council hereby adopts the City of Lodi Annexation Policy dated December 13, 1989, attached hereto as Exhibit A.

Dated: January 17, 1990

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I hereby certify that Resolution No. 90-09 was passed and adopted by the City Council of the City of Lodi in a regular meeting held January 17, 1990 by the following vote:

Ayes: Council Members - Olson, Pinkerton and Reid

Noes: Council Members - Hinchman

Absent: Council Members - None

Abstain: Council Members - Snider (Mayor)



Alice M. Reimche  
City Clerk

90-09

RES9009/TXTA.02J

February 2, 1990

### ANNEXATION POLICIES

At its meeting of Wednesday, January 17, 1990 the Lodi City Council adopted the following Annexation Policies.

#### Publicly Owned Properties

As in the past the City Council shall continue to annex all publicly owned property, either contiguous or non-contiguous, upon acquisition by the City. By doing this the City avoids paying property taxes on the land and assures the property will be totally under the City's jurisdiction.

#### Projects Outside the 2% Growth Limits

Besides conforming to the development process requirements, environmental documentation and rezoning, the developer/owner of projects in this category shall enter into agreement with the City which indicates (1) that sewer service will not be requested until the City indicates it is available; and (2) that all impaction fees will be paid before building occupancy.

#### Projects Within the 2% Growth Limit

In addition to the normal development, CEQA and annexation processes, the developer/owners in this category shall enter into an agreement with the City which states (1) that the project is within the Growth Management Program and annexation does not give the project a vesting to develop or acquire Building Permits; (2) that sewer service will not be requested until the City indicates it is available; and (3) that all impaction fees will be paid before building occupancy.

#### Projects Which Exist in the County

Owners of parcels already developed in the County shall enter into an agreement which states (1) that sewer service will not be requested until the City indicates it is available; (2) that all applicable impaction fees will be paid; and (3) that a standard deferral agreement shall be signed indicating that the property will be brought to City standards (i.e. curb, gutter, sidewalk, street lights, etc.) when the City requires the improvements.

#### Background Information

The following information was reviewed by the City Council in formulating the above Annexation Policies.

### Types of Annexation

1. Public - City Owned
  - a. Contiguous annexation would include the two parcels added to C-Basin (Pixley Park) south of Vine Street, east of Beckman Road, and the proposed site for the Industrial Substation south of East Lodi Avenue.
  - b. Non-contiguous annexations would include City-owned property which did not abut a municipal boundary such as White Slough Water Pollution Control Plant.
2. All commercial or industrial projects.
3. Senior citizens housing projects.
4. Mixed Use Project - Senior housing projects with commercial or professional.
5. Project which exists in the County (Single-family dwelling, Woodbridge School, winery) - when property owner requests.
6. Residential - Subject to the 2% growth limit.
7. Mixed Use Project - Residential with commercial or professional with residential subject to 2% growth limit.
8. Mixed Use Project - Residential with senior housing with residential subject to 2% growth limit.

Items 1 through 5 above are not subject to the proposed 2% growth rate and could be annexed at the City Council's discretion. Of the eighteen proposed annexations presented to the City Council, nine are commercial, industrial or public. One, the Pixley Park-C Basin Addition, was initiated by the City Council at its December 6, 1989 meeting. Two, Kettleman Properties and Sunwest Plaza, have environmental certification, General Plan conformity and rezoning. One is the site for the Industrial Substation and the final four are proposed industrial sites and require environmental documentation and rezoning.

Of the remaining proposed additions Five (Johnson Ranch II, Century Meadows, Batch Property, Towne Ranch and Bridgetowne Estates) were defeated at Measure "A" elections. Although These properties have environmental approval and rezoning, the EIR must be reviewed and updated. They are all residential projects and would be subject to the proposed 2% Growth Management Review.

The last four proposed annexations, Sasaki, Geweke, Katzakian and Thomas-Colvin, are mixed use with some possible residential or residential. These four would be required to go through the entire development process as well as the 2% rating.

### Local Agency Formation Commission Policy

Since the City has had only four contiguous and four non-contiguous annexations since Measure "A" was enacted in 1981, the LAFCO policies and practices were reviewed with that agency's Executive Director.

At present the Commission has no limitation on the years of growth a City may annex, however, ten years growth or more must be justified and may not be approved. With a 2% annual residential growth rate, it will be easy to determine the number of years of residential growth that are in the City. Commercial and industrial growth rates will have to be compared with historic data.

Even though the White Slough Water Pollution Control Plant is impacted, LAFCO will permit annexations if the City can demonstrate that sewer service will be available in a reasonable time period. An agreement between the developer and the City indicating when the project would require and receive sewer service would be more than adequate for LAFCO purposes.

San Joaquin LAFCO still requires that the City be the Lead Agency for CEQA (California Environmental Quality Act) purposes and that all annexation proposals be rezoned before being submitted to the Commission.